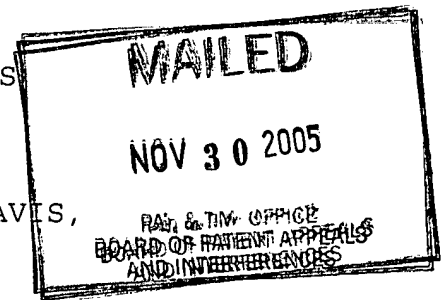


The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte TY J. CASWELL, JEFFREY P. DAVIS,
GREGORY R. JOHNSON,
TIMOTHY J. REINARTS,
and TING SUN



Appeal No. 2005-2080
Application 09/400,607

ON BRIEF

Before THOMAS, HAIRSTON, and BARRETT, Administrative Patent Judges.

HAIRSTON, Administrative Patent Judge.

DECISION ON APPEAL

This is an appeal from the final rejection of claims 7 through 19.

The disclosed invention relates to a method and system for controlling access to a telephone personal communications system

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via the use of caller identification information. In the method and system, an incoming call is detected, and caller identification information is received without answering the telephone call. The caller identification information is decoded, and then compared with stored access parameters to determine whether access to the personal communications system is authorized. If access is authorized, then the caller is connected to the personal communications system. If access is unauthorized, then the personal communications system is placed off hook, and hang-up occurs to prevent access to the personal communications system.

Claim 7 is illustrative of the claimed invention, and it reads as follows:

7. A method for controlling access to a telephone personal communications system, comprising:

- preprogramming a memory device with access parameters;
- detecting a phone call;
- receiving caller identification information without answering the phone call;
- decoding caller identification information;
- comparing caller identification information with access parameters to determine whether access is authorized;

if access is unauthorized, placing the telephone personal communications system off hook and then hanging up so as to prevent access to the telephone personal communications system; and

if access is authorized, enabling a connection to the telephone personal communications system.

The references relied on by the examiner are:

Long	5,377,260	Dec. 27, 1994 (filed Dec. 5, 1991)
Chow	5,644,629	July 1, 1997 (filed Mar. 26, 1993)

Claims 7 through 19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Long in view of Chow.

Reference is made to the brief and the answer for the respective positions of the appellants and the examiner.

OPINION

We have carefully considered the entire record before us, and we will sustain the obviousness rejection of claims 7 through 19.

Long discloses a method and system for controlling access to a telephone personal communications system via the use of caller identification information (column 1, lines 7 through 10; column 3, lines 22 through 28; Figures 3B and 4). The method and system disclosed by Long detects a phone call, receives caller identification information without answering the phone call, and decodes the caller identification information (column 3, lines 22

through 28; column 4, lines 20 through 25). Long has a memory preprogrammed with acceptable caller identification information and unacceptable caller identification information, and a compare circuit that compares the caller identification information of the calling party against the caller identification information in the preprogrammed memory to determine whether access is authorized (column 5, lines 8 through 13; column 7, lines 31 through 36). Long states (column 4, line 66 through column 5, line 1) that "[t]he decision as to whether to respond to the call by going OFF-Hook and the type of response to provide can then be automated by suitably programming the IWS [Intelligent Work Station]." If access is authorized, then the calling party has access to the telephone personal communications system (column 5, lines 14 through 19; column 8, lines 17 through 21). If access is unauthorized, then the telephone personal communications system is placed off hook as indicated supra, and hang up (i.e., disconnection) occurs to prevent access to the telephone personal communications system (column 8, lines 17 through 21).

Appellants' argument (brief, pages 6 and 7) that Long does not teach a hang up operation because the calling party has to terminate the call by hanging up applies to the first embodiment in Long (Figure 3B) because the called party can ignore unwanted telephone calls and let the telephone ring until the calling

party terminates the call. On the other hand, appellants' argument does not apply to the second or automated embodiment discussed supra because the IWS makes the decision as to whether to go off hook and to hang up as set forth in claim 7 on appeal.

In view of the foregoing, the obviousness rejection of claim 7 is sustained based upon the teachings of Long. In sustaining a multiple reference rejection under 35 U.S.C. § 103(a), the Board may rely on one reference alone without designating it as a new ground of rejection. In re Bush, 296 F.2d 491, 496, 131 USPQ 263, 266-67 (CCPA 1961); In re Boyer, 363 F.2d 455, 458 n. 2, 150 USPQ 441, 444 n. 2 (CCPA 1966). The off hook and telephone hang up teachings of Chow are merely cumulative to the teachings already present in Long.

The obviousness rejection of claims 8 through 19 is likewise sustained because appellants have chosen (brief, page 5) to let the claims on appeal stand or fall as a single group.

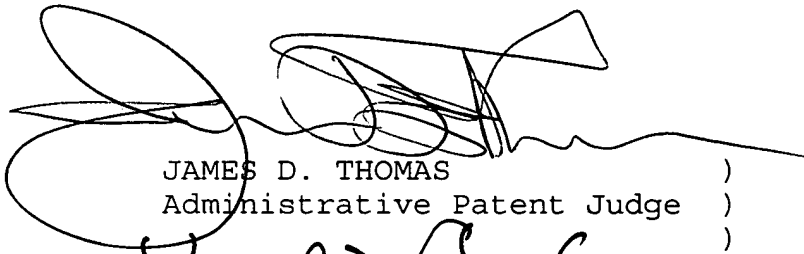
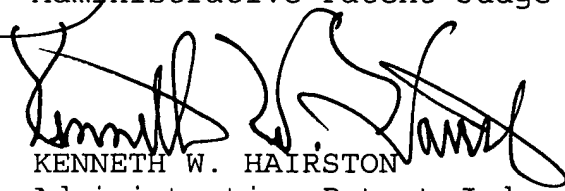

DECISION

The decision of the examiner rejecting claims 7 through 19 under 35 U.S.C. § 103(a) is affirmed.

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No time period for taking any subsequent action in
connection with this appeal may be extended under 37 CFR § 1.136
(a) (1) (iv).

AFFIRMED


JAMES D. THOMAS)
Administrative Patent Judge)

KENNETH W. HAIRSTON)
Administrative Patent Judge)

LEE E. BARRETT)
Administrative Patent Judge)

BOARD OF PATENT
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KWH/dal

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